

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PALANTIR TECHNOLOGIES, INC.,

Plaintiff,

v.

MARC L. ABRAMOWITZ, and others,

Defendants.

Case No. 19-cv-06879 BLF (NC)

**ORDER ON DISCOVERY
DISPUTES CONCERNING KARP
DEPOSITION**

Re: ECF 248, 250

Perhaps in anticipation of Groundhog Day, the parties have returned to Court for an early 2022 reopening of discovery issues that were resolved in 2021. More specifically, back in August 2021 the parties argued over whether and for how long Dr. Alexander Karp, the CEO of Palantir, should be deposed. The Court permitted the Karp deposition and limited it to four hours. ECF 228. Now four months later and after the fact discovery deadline, the Karp deposition still has not taken place and the attorneys on each side have resumed their posturing about who is to blame. This order resolves both Palantir's motion to extend the discovery deadline to complete the Karp deposition (ECF 250) and defendants' motion for a discovery sanction arising from the untaken Karp deposition (ECF 248).

1 Palantir's motion to extend time for the Karp deposition is GRANTED. ECF 250.
2 Defendants have not shown prejudice that would be caused by a further extension, given
3 that Karp was already deposed in the Delaware action, other fact depositions have yet to be
4 completed, and expert discovery has not yet begun. The Karp deposition must be taken by
5 February 18, 2022. And by January 14, 2022, at 5:00 p.m. Pacific time, counsel must
6 confer and agree on the date and time for the deposition and file a stipulation reflecting
7 their agreement.

8 Defendants' motion for sanctions is DENIED. ECF 248. The Court finds that the
9 parties had a genuine disagreement about scheduling that was exacerbated by the
10 complexities of international discovery amid a pandemic. The extraordinary remedy of
11 excluding Karp's testimony is not warranted.

12 No fees or costs are awarded on either motion.

13 **IT IS SO ORDERED.**

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15 Dated: January 11, 2022

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18 NATHANAEL M. COUSINS
19 United States Magistrate Judge
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